

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KRISTY M. NORWOOD, et al.,

Plaintiffs,

v.

HPA BORROWER 2018-1 LLC, et
al.,

Defendants.

CASE NO. C21-5843JLR

ORDER TO SHOW CAUSE
REGARDING SUBJECT
MATTER JURISDICTION

Before the court are Plaintiffs Kristy M. Norwood and Timothy P. Norwood's (collectively, the "Norwoods") complaint (Compl. (Dkt. # 1-2)) and Defendants HPA Borrower 2018-1 LLC ("HPA Borrower") and OPVHHJV LLC's ("OPVHHJV") (collectively, "Defendants") notice of removal (Notice (Dkt. # 1)). Having reviewed the complaint and the notice of removal, the court finds that Defendants have failed to allege an adequate basis for subject matter jurisdiction. The court therefore orders Defendants,

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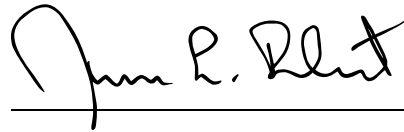
1 within seven (7) days of the date of this order, to serve and file a submission that includes
2 information sufficient to establish the court's jurisdiction.

3 Defendants assert that the court's jurisdiction is based on diversity of citizenship.
4 (Notice at 2.) For purposes of assessing diversity jurisdiction, the court must consider the
5 domicile of all members of a limited liability company. *Johnson v. Columbia Props.*
6 *Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006); *see also* Local Rules W.D. Wash.
7 LCR 8(a) ("If plaintiff is asserting that this court has jurisdiction based on diversity, the
8 compliant must identify the citizenship of the parties, and, if any of the parties is a limited
9 liability corporation (LLC) . . . identify the citizenship of the . . . members of those
10 entities to establish the court's jurisdiction."). Defendants allege that the Norwoods "are
11 residents of Washington and are Washington citizens for purposes of diversity
12 jurisdiction," that HPA Borrower is "a Delaware limited liability company" with its
13 principal place of business in Chicago, Illinois, and that OPVHHJV is a "Texas limited
14 liability company" with its principal place of business in Plano, Texas. (Notice at 3.)
15 Yet, Defendants fail to allege the citizenship of any of the members of HPA Borrower or
16 OPVHHJV. (*See generally id.*) Absent such allegations, the court cannot determine if
17 Defendants have properly invoked this court's subject matter jurisdiction on the basis of
18 the parties' diversity of citizenship.¹

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20 ¹ The court notes that if any member of HPA Borrower or OPVHHJV is itself a limited
21 liability company, Defendants must provide information about the citizenship of the members of
22 that limited liability company as well, which is determined in the same manner described
above—namely, by establishing the citizenship of each member. *See Johnson*, 437 F.3d at 899
(examining the citizenship of a limited partnership whose partners included limited liability
companies by looking to the citizenship of the members of those limited liability companies).

1 Accordingly, the court ORDERS Defendants to show cause why this case should
2 not be dismissed for lack of subject matter jurisdiction. *See Martin v. Franklin Capital*
3 *Corp.*, 546 U.S. 132, 143 (2005) (“If it appears that the federal court lacks jurisdiction,
4 however, ‘the case shall be remanded.’”) (quoting 28 U.S.C. § 1447(c)). If Defendants
5 fail to provide the court with the information described above within seven (7) days of
6 the date of this order, the court will remand this case.

7 Dated this 1st day of December, 2021.

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10 JAMES L. ROBART
United States District Judge

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This process continues until every layer of limited liability company membership has been
reduced to the citizenship of its individual members.